

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

EQUAL EMPLOYMENT OPPORTUNITY)
COMMISSION,)
)
Plaintiff,)
)
v.)
)
LA WEIGHT LOSS,)
)
Defendant.)
_____)

Case No. WDQ-02-CV-648

PLAINTIFF EEOC'S MOTION FOR LEAVE
TO FILE SUR-REPLY IN OPPOSITION TO DEFENDANT LA WEIGHT LOSS
CENTERS, INC.'S MOTION FOR SUMMARY JUDGMENT

Pursuant to Local Rule 105(2)(a), Plaintiff U.S. Equal Employment Opportunity Commission ("EEOC") moves this Court for leave to file the Sur-Reply in Opposition to Defendant LA Weight Loss Centers, Inc.'s Motion for Summary Judgment, attached as Exhibit 1. The reply brief of Defendant LA Weight Loss Centers, Inc. ("Defendant") relies in part on Ledbetter v. Goodyear Tire & Rubber Co., 127 S. Ct. 2162 (2007). Ledbetter was decided on May 29, 2007, several weeks after EEOC filed its memorandum opposing Defendant's summary judgment motion. Thus, EEOC respectfully requests leave to file the attached surreply addressing Defendant's misplaced reliance on Ledbetter and the reasons why that case does not alter the analysis set forth in EEOC's brief opposing Defendant's summary judgment motion.

Respectfully submitted,

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION

/s/
TRACY HUDSON SPICER
Supervisory Trial Attorney

EEOC-Washington Field Office
1801 L Street, N.W., Suite 100
Washington, DC 20507
Office #: (202) 419-0711
Facsimile #: (202) 419-0701

/s/

CORBETT ANDERSON

Trial Attorney
EEOC-Washington Field Office
1801 L Street, N.W., Suite 100
Washington, DC 20507
Office #: (202) 419-0724
Facsimile #: (202) 419-0701

/s/

RONALD L. PHILLIPS

Trial Attorney
EEOC-Baltimore Field Office
City Crescent Building, 3rd Floor
10 South Howard Street
Baltimore, MD 21201
Office #: (410) 209-2737
Facsimile #: (410) 962-4270/2817